

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

December 19, 2005
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Mayor Heitke recognized the Willmar High School Cross County Team and coaches who were the, 2005 State Champions. The Mayor acknowledged several of the team's accomplishments culminating with a final "15th in the Nation" ranking. The team finished in 14th place in the recent Nike race held in Oregon. The Mayor invited the coaches and co-captains to comment on the season. This matter was for information only.

Council Member DeBlieck offered a motion adopting the Consent Agenda which included the following: City Council Minutes of December 5, Rice Hospital Board Minutes of December 7, Municipal Utilities Commission Minutes of December 12, Housing and Redevelopment Authority Board Minutes of November 8, Zoning Appeals Board Minutes of December 5, and Senior Citizens Board Minutes of December 7, 2005. Council Member Anderson seconded the motion, which carried.

At 7:25 p.m. Mayor Heitke opened a hearing on an Ordinance to Rezone Certain Lands from A to R-1. Planning and Development Services Director Peterson informed the Mayor and Council that J & C Enterprises of Central MN proposed the rezoning of property south of Valley Brook Estates and west of Vos Park from Agricultural to Single Family Residential for the purpose of residential development. The Planning Commission has approved the rezoning. There being no one present to speak for or against the proposed Ordinance, and Mayor Heitke closed the hearing at 7:26 p.m.

Council Member Reese offered a motion to adopt, assign a number, and order final publication of an Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At 7:27 p.m. Mayor Heitke opened a hearing on an Ordinance to Rezone Certain Lands from A to R-2. Planning and Development Services Director Peterson informed the Mayor and Council that Koosman Construction proposes the rezoning of property south of Welshire Addition and east of the YMCA from Agricultural to One and Two Family Residential for the purpose of residential development. The Planning Commission has approved the rezoning. There being no one present to speak for or against the proposed Ordinance, and Mayor Heitke closed the hearing at 7:28 p.m.

Council Member DeBlieck offered a motion to adopt, assign a number, and order final publication of an Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

At this time Mayor Heitke recognized Finstad-Week VFW Post 1639 Commander Brian Gislason, Quarter Master Dave Radabaugh, and 5th District Commander Les Kaenel who presented to the City of Willmar flags in honor of individuals who have served their Country. Fire Chief Calvin and Police Chief Kulset were presented with a "Flag of Heroes" which identified the emergency services personnel who lost their lives in the September 11th attack on the World Trade Towers. The Mayor thanked the officers for the VFW's generosity of supplying flags to be flown throughout the City.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report for December 12, 2005, was presented to the Mayor and Council by Council Member Anderson. There were six items for Council consideration.

Item No. 1 Sam Lahanis of Donohue and Associates appeared before the Committee to present a request to transfer a total of \$35,000 among various line items budgeted in their contract with the City for the Waste Treatment Plant Relocation. The changes are necessitated to cover actual, as opposed to estimated, costs of the various project tasks. The grand total of the Contract remains the same.

Following discussion, the Committee was recommending the Council introduce a Resolution to approve the budget transfer among the various line items in the Donohue and Associates contract. Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and Donohue & Associates, Inc. The supplement includes the reallocation of costs with the present contract amount.

BE IT FURTHER RESOLVED, the original contract is hereby amended as follows:

PM Admin.	\$120,000	+\$ 10,000	\$130,000
PM Permit Rev.	\$ 24,885	-\$ 5,000	\$ 19,885
Funding	\$ 56,840	+\$ 5,000	\$ 61,840
Pub. Relations	\$ 81,138	-\$ 5,000	\$ 76,138
Data Gathering	\$ 43,600	+\$ 12,000	\$ 56,600
Service Area	\$ 35,680	+\$ 8,000	\$ 43,680
Alter. Evaluation	\$291,509	-\$ 25,000	\$266,509

Dated this 19th day of December, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 Mr. Lahanis provided the Committee with a Funding and Financing Report for the Wastewater Treatment Plant Relocation Project. The purpose of the Funding and Financing Report is to identify potential outside funding sources that may be used by the City to fund its new wastewater treatment plant. This matter was for information only.

Item No. 3 The Committee considered the proposed 2006 schedule of part-time salaries, which reflects on average a \$.50/hour increase in first year rates over the 2005 schedule. The Committee was recommending the Council approve the 2006 schedule of part-time salaries as presented. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Gardner seconding the motion, which carried.

Item No. 4 The Committee was informed that various fees and charges used by the City must be considered by each applicable departmental committee prior to the Finance Committee reviewing them. This item was deferred to a future agenda and was for information only.

Item No. 5 The Committee was informed that the Energy Cost Reduction Plan will be included on a future agenda for their consideration. This matter was for information only.

Item No. 6 The Committee acknowledged receipt of the following reports: September Community Foundation, October Rice Trust, October Investment, October Pioneerland Library, October WRAC-8 Financial, October CVB Financial, and third Quarter MUC. This matter was for information only.

The Finance Committee Report for December 12, 2006, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Dokken, and carried.

The Public Works/Safety Committee Report for December 13, 2005, was presented to the Mayor and Council by Council Member Christianson. There were seven items for Council consideration.

Item No. 1 The Committee reviewed quotes for the 2006 Sanitation Requirements. Two quotes were received with the low quote being from Willmar City Sanitation in the amount of \$29,015.00. It was noted the sanitation prices have decreased slightly in the last couple years. The area of service where the decrease was noticed relates to the Wastewater Treatment Plant screenings, which are weighed each load. This matter was for information only.

Item No. 2 The Committee reviewed quotes for the 2006 Towing Requirements. Quote requests were sent to four vendors with one quote received from Ed's Service Center in the amount of \$43,860.00. This is an increase from 2006 of \$10 per vehicle with the City towing approximately 700 vehicles each year. This matter was for information only.

Item No. 3 The Committee received information relating to the administrative fees and taxes for the 2004 and 2005 towing years along with a proposed increase in 2006. Also reviewed was the staff time involved in a City tow and compliance with state regulations.

Following discussion, the Committee was recommending the Council increase the towing fees for 2006 to \$120.00. Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

AUTHORIZATION TO INCREASE TOW FEES

WHEREAS quotes received for the 2006 Towing Requirements showed an increase from the previous year;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Willmar that the towing fees for 2006 be increased from the 2005 rate of \$100.00 to \$120.00.

Dated this 19th day of December, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 City Administrator Schmit presented a proposed settlement for the acquisition of the Phillip Kvam property for the new municipal airport. The City has a signed settlement agreement, release of claims, a \$1,800 check for rent through December 31, 2006, \$7,500 reimbursement for legal fees, and Mr. Kvam has returned a \$60,000 check in lieu of a 5.3 acre replacement site. In the agreement Mr. Kvam is entitled to rent the two steel Butler buildings on the site from the City for \$100 a month through December 31, 2015.

Following discussion, the Committee was recommending the Council approve the mediated settlement with Phillip Kvam and authorize the Mayor and City Administrator to sign on behalf of the City. Resolution No. 3 was introduced by Council Member Christianson, seconded by Council Member Swenson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a Settlement Agreement between the City of Willmar and Phillip Kvam for the acquisition of the Kvam property for the new municipal airport.

Dated this 19th day of December, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item 5 Sam Lahanis of Donohue and Associates presented the November, 2005 Monthly Report for the Wastewater Treatment Plant Relocation and Conveyance Systems Improvements. Donohue and Associates has prepared the Summary Funding Report and presented it to the Finance Committee indicating funding sources and availability.

The draft lift station evaluation and construction recommendations are developed and will be submitted to the City shortly. Minnesota Valley and Testing Laboratories have removed the meters for the Flow Monitoring Program and feel the necessary rainfall to complete their report was obtained. Another informational meeting for stakeholders is being planned for January 26, 2006. This matter was for information only.

Item No. 6 Steve NedreLOW appeared before the Council to discuss the Airport Commission's involvement in revising the job description for Airport Manager subsequent to his resignation later this month. It was Mr. NedreLOW's opinion the position would be changing after the new airport construction is completed in 2006. Receiving monthly project status reports before the Committee was also discussed. This matter was for information only.

Item No. 7 The Committee reviewed correspondence from the consulting engineers for the newly constructed Mills Ford Project in Willmar. The letter requests the City take over responsibility for the roadways constructed now that all the utilities and roadway are substantially complete. Staff will be reviewing the street plans in the near future, yet in the interim the snow plowing of 40th Avenue SW (approximately ¼ mile in length) is an issue. Staff recommended the City initiate snow removal on this segment of street prior to final acceptance of all the roadways.

Following discussion, the Committee was recommending the Council authorize the Public Works Department to perform snow maintenance on 40th Avenue Southwest. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion, which carried.

The Public Works/Safety Committee Report for December 13, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

City Clerk Halliday presented to the Mayor and Council a list of establishments requesting new and/or renewal of Sunday On-sale Liquor Licenses. The Willmar Elks Lodge is requesting a new Sunday On-sale Liquor License; and the following are requesting renewal of current Sunday On-sale Liquor Licenses: American Legion Post 167, Fraternal Order of Eagles, VFW Post 1639, Applebee's, Blue Heron on the Green, El Tapatio, Grizzly's, Hi Tops, Holiday Inn/Green Mill and Vannandy's. Following discussion, Council Member Fagerlie offered a motion to approve the Sunday On-sale Liquor Licenses as presented. Council Member Anderson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Heitke was recommending the following individuals be reappointed to serve on various Board/Commissions: Municipal Utilities Commission – Bob Bonawitz and Jim Schammel; Dan Reigstad – Pioneerland Library Board; Rice Hospital Board – Dr. Doug Allen. Council Member Reese offered a motion to approve the reappointments as presented with Council Member Christianson seconding the motion, which carried.

Mayor Heitke was recommending that Duane Bock be appointed to the Community Education and Recreation Advisory Board and Gary Thompson to the Board of Zoning Appeals. Council Member Dokken moved to approve the appointments as presented with Council Member

Christianson seconding the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Public Works/ Safety, December 27; and Community Development Committee, December 29, 2005.

There being no further business to come before the Council, the meeting adjourned at 8:15 p.m. upon motion by Council Member Christianson, seconded by Council Member Dokken, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL